GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:1838
ANSWERED ON:10.03.2017
Legislation on Abduction of Children
Girri Shri Maheish;Sathyabama Smt. V.

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether the Government proposes to create an effective mechanism and a model legislation to safeguard the interests of the children and the parents, especially NRIs women facing difficulties as a result of breakdown of marriage abroad;
(b) if so, the details thereof along with the steps taken in this regard;
(c) whether the Government also plans to introduce any legislation to address issues related to the abduction of children from and into India and if so, the details thereof;
(d) whether the Law Commission has recommended some changes in the draft Civil Aspects of International Child Abduction Bill, 2016; and
(e) if so, the details thereof along with the reaction of the Government on the recommendations of the law Commission and the present status of the Bill?

Answer

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI KRISHNA RAJ)

(a) to (b) The Ministry is in process of developing guidelines/SoPs for streamlining the procedures related to NRI matrimonial disputes.

(c) to (e) 21st Law Commission has submitted report no. 263 titled 'The Protection of Children (Inter-country Removal and retention) Bill, 2016 on 17.01.2016 wherein some changes have been recommended in the draft Civil Aspects of International Child Abduction Bill, 2016 prepared by Ministry of Women and Child Development. The Ministry has held a National Consultation on 3rd February 2017 to discuss the issue, keeping in mind the Indian realities and existing Indian Constitutional provisions. Based on the Consultation, the matter is under examination.

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